

## SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Applicants note the assertion in the outstanding Office Action that an Information Disclosure Statement allegedly filed October 9, 2003, failed to comply with 37 C.F.R. § 1.98, in lacking an English-language abstract for a cited publication that was not in English, and that accordingly, the Information Disclosure Statement (apparently in its entirety, not just the non-English document) was merely being placed in the file and was not being considered.

The following observations are made:

First, no Information Disclosure Statement was filed on October 9, 2003, but rather only an Amendment And Request For Consideration Of Previous Cited Art, attached to which were, for the Office's convenience, additional copies of two Information Disclosure Statements that had been filed previously, on March 11 and May 13, 2002, respectively.

Second, it is respectfully pointed out that the sole cited document that was not in English, is discussed in the specification of the present application, at page 5, lines 3-9, and that in the Supplemental Information Disclosure Statement of May 13, 2002, which cited that non-English document, the Examiner was specifically directed to that discussion (please note the last three lines on the first page of that Supplemental Information Disclosure Statement) as a statement of relevance, as is specifically provided for in the MPEP.<sup>2</sup> Therefore, the required statement of relevance was in fact provided.

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<sup>2/</sup>

“The concise explanation may be either separate from the specification or incorporated therein with the page(s) and lines of the specification where it is incorporated being noted in the IDS.” MPEP § 609, at page 600-122, right-hand column, lines 3-6.

Third, even if no statement of relevance had been provided, that would not have been a reason for non-consideration of the other documents cited. Again, the MPEP provides that:

“If an item of information in an IDS fails to comply with requirements of 37 CFR 1.97 and 37 CFR 1.98, *a line should be drawn* through the citation to show that it has not been considered. *The other items of information listed that do comply with the requirements of 37 CFR 1.97 and 37 CFR 1.98 will be considered by the examiner* and will be appropriately initialed [emphases added].”

MPEP § 609, at page 600-132, left-hand column, last paragraph before heading C(3); see also examples at pages 600-134 through 600-136. Thus, even if no statement of relevance had been provided for the cited non-English document, the Examiner should nonetheless still have considered the other cited documents.

It is again respectfully requested that the Examiner consider and make of record all of the information cited in those two Information Disclosure Statements.


Moreover, the Examiner’s attention is further directed to the document identified on the attached form PTO-1449, a copy of which is attached, and the Examiner is respectfully requested also to consider that document and to initial and return a copy of the enclosed Form PTO-1449 indicating that such information has been considered.

A check for the payment of the \$180.00 fee is also enclosed.

CONCLUSION

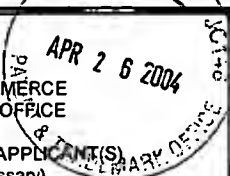
Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

  
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FORM PTO 1449 (modified)				ATTY DOCKET NO. <b>00684.003290.</b>		APPLICATION NO. <b>09/996,883</b>	
U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  LIST OF REFERENCES CITED BY APPLICANT(S) (Use several sheets if necessary)				APPLICANT <b>TAKASHI MORIYAMA ET AL.</b>			
				FILING DATE <b>Nov mber 30, 2001</b>		GROUP <b>1774</b>	
U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO/ OR ABSTRACT
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
		<b>"Organic EL Devices Doped with a Quinacridone Derivative Showing Higher Brightness and Luminescent Efficiency", English text, Preprint For 54<sup>th</sup> Meeting Of The Applied Physics Of Japan, 1127(1993).</b>					
EXAMINER				DATE CONSIDERED			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.